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PATENT APPLICATION
DOCKET NO.: 1159.1008-005

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SEP 17 2001

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UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Seshi R. Sompuram and Halasya Ramanathan

Application No.: 09/834,240

Group Art Unit: 164P

Filed: April 12, 2001

Examiner: Unknown

Title: Quality Control for Cytochemical Assays

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>9/6/01</u>	<u>Kathleen Riley</u>
Date	Signature
<u>Kathleen Riley</u>	
Typed or printed name of person signing certificate	

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INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

This Information Disclosure Statement is submitted:

☐ under 37 CFR 1.129(a), or

(First/Second submission after Final Rejection)

☒ under 37 CFR 1.97(b), or

(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).

☐ under 37 CFR 1.97(c) together with either:

☐ a Statement under 37 CFR 1.97(e), as checked below, or

☐ a \$180.00 fee under 37 CFR 1.17(p), or

(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with:

☐ a Statement under 37 CFR 1.97(e), as checked below, and

☐ a \$180.00 fee under 37 CFR 1.17(p), or

(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)

☐ under 37 CFR 1.97(i):

Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.

(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

Enclosed herewith is form PTO-1449:

- ☒ Copies of references AH4, AI4, AJ4, AK4, AA5, AB5, AC5, AD5, AE5, AF5, AG5 are enclosed.
- ☒ Copies of cited references are enclosed except those entered in prior applications, U.S. Application Nos. 09/291,351 and 09/549,855, to which priority under 35 U.S.C. 120 is claimed. The earlier applications contain copies of the cited references.
- ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.

Concise Explanation Requirement (non-English references):

- ☒ The "concise explanation" requirement for reference AO under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
 - ☐ the explanation provided in the Specification.
 - ☒ submission of the enclosed International Search Report.
 - ☐ the enclosed English language abstract.
- ☒ Applicant requests that the following pending applications be considered:

Examiner's
Initials

____ U.S. Patent Application No. 09/291,351 by Steven A. Bogen and Gail E. Radcliffe filed April 14, 1999 Docket No.: 1159.1008-000

____ U.S. Patent Application No. 09/549,855, by Seshi R. Sompuram, Halasya Ramanathan and Steven A. Bogen, filed April 14, 2000 Docket No.: 1159.1008-001

Examiner

Date

A copy of each above-cited application, including the current claims, is enclosed.
The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

- [] A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
- [] Please charge Deposit Account 08-0380 in the amount of \$[]. A copy of this Statement is enclosed.
- [X] Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Anabela C. Taylor
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Lexington, Massachusetts 02421-4799

Dated: September 6, 2001

PTO-1449 REPRODUCED

ATTORNEY DOCKET NO.
1159.1008-005

APPLICATION NO.
09/834,240

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**

July 2, 2001

several sheets if necessary)

APPLICANTS
Seshi R. Sompuram et al.

FILING DATE
April 12, 2001

GROUP
1641

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U.S. PATENT DOCUMENTS

EXAM- INER INI- TIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	AA	4,820,504	4/11/89	Battifora	424	3	
	AB	4,914,022	4/3/90	Furmanski, et al.	435	7	
	AC	5,610,022	3/11/97	Battifora	435	7.23	
	AD	5,143,714	9/1/92	Cosgrove, et al.	424	3	
	AE	4,715,988	12/29/87	Colin	252	408.1	
	AF	5,846,749	12/8/98	Slamon, et al.	435	7.23	
	AG	5,837,500	11/17/98	Ladner, et al.	435	69.7	
	AH	5,223,409	6/29/93	Ladner, et al.	435	69.7	
	AI	5,571,698	11/5/96	Ladner, et al.	435	69.7	
	AJ	5,885,526	3/25/97	Chu	422	56	
	AK	4,591,570	5/27/86	Chang	436	518	

FOREIGN PATENT DOCUMENTS

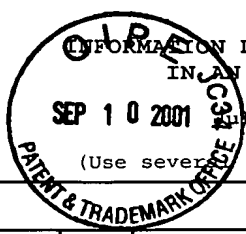
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
	AL	0 266 077 B1	06-OCT-1987	EPO			
	AM	90/02809	22-MAR-1990	WO			
	AN	0 314 293 A2	21-SEP-1988	EPO			
	AO	0 926 498 A1	21-DEC-1998	EPO			
	AP	0 345 953 A2	15-MAY-1989	EPO			
	AQ	91/05263	18-APR-1991	WO			
	AL2	JP62198390	02-SEP-1987	Japan (abstract)			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


AR	Nibbering, P.H. and VanFurth, R., "Microphotometric Quantitation of the Reaction Product of Several Indirect Immunoperoxidase Methods Demonstrating Monoclonal Antibody Binding to Antigens Immobilized on Nictrocellulose," <i>J. of Histochemistry and Cytochemistry</i> , 34(12):1425-1431 (1987).
AS	Gagne, G.D. and Miller, M.F., "An Artificial Test Substrate for Evaluating Electron Microscopic Immunocytochemical Labeling Reactions," <i>J. of Histochemistry and Cytochemistry</i> , 35(8):909-916 (1987).

EXAMINER

DATE CONSIDERED

PTO-1449 REPRODUCED		ATTORNEY DOCKET NO. 1159.1008-005		APPLICATION NO. 09/834,240			
		APPLICANTS Seshi R. Sompuram et al.		RECEIVED			
		FILING DATE April 12, 2001		GROUP 1641			
U.S. PATENT DOCUMENTS							
EXAM- INER INI- TIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	AA2	5,501,954	3/26/96	Mahr, et al.	435	6	
	AB2	5,202,931	4/13/93	Bacus	382	6	
	AC2	5,252,487	10/12/93	Bacus, et al.	436	63	
	AD2	4,071,409	1/31/78	Messing et al.	195	63	
	AE2	5,576,220	11/19/96	Hudson et al.	436	518	
	AF2	4,280,992	7/28/81	Sugiura et al.	424	1	
	AG2	5,314,731	5/24/94	Yoneda et al.	428	429	
	AH2	5,919,626	7/6/99	Shi et al.	435	6	
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	AT	Hough, T., et al., "Immunofluorescent Screening of Monoclonal Antibodies to Surface Antigens of Animal and Plant Cells Bound to Polycarbonate Membranes," <i>J. Immunological Methods</i> , 92:103-107 (1986).					
	AU	Nabors, L.B., et al., "Quantitative Immunocytochemistry Using an Image Analyzer. II. Concentration Standards for Transmitter Immunocytochemistry," <i>J. Neuroscience Methods</i> , 26:25-34 (1988).					
	AV	Riera, J., et al., "Use of Cultured Cells as a Control for Quantitative Immunocytochemical Analysis of Estrogen Receptor in Breast Cancer," <i>Am J. Clin Path</i> , 111:329-335 (1999).					
	AW	Bon, G.G., et al., "Clinical and Technical Evaluation of ACS BR Serum Assay of MUC1 Gene-Derived Glycoprotein in Breast Cancer, and Comparison with CA15-3 Assays," <i>Clin. Chem.</i> , 43:585-593 (1997).					
	AX	Wells, J. and Lowman, H., "Rapid Evolution of Peptide and Protein Binding Properties <i>In Vitro</i> ," <i>Current Biology Ltd.</i> , 3:355-362 (1992).					
	AY	McLafferty, M., et al., "M13 Bacteriophage Displaying Disulfide-Constrained Microproteins," <i>Gene</i> , 128:29-36 (1993).					
	AZ	Clackson, T. and Wells, J., "In Vitro Selection From Protein and Peptide Libraries," <i>TIBTECH</i> , 12:173-184 (1994).					
	AR2	Roberts, B., et al., "Directed Evolution of a Protein: Selection of Potent Neutrophil Elastase Inhibitors Displayed on M13 Fusion Phage," <i>Proc. Natol. Acad. Sci. USA</i> , 89:2429-2433 (1992).					
	AS2	Markland, W., et al., "Iterative Optimization of High-Affinity Protease Inhibitors using Phage Display Plasma Kallikrein and Thrombin," <i>Biochemistry</i> , 35:8058-8067 (1996).					
EXAMINER				DATE CONSIDERED			

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PTO-1449 REPRODUCED  INFORMATION DISCLOSURE CITATION IN AN APPLICATION July 2, 2001 (Use several sheets if necessary)		ATTORNEY DOCKET NO. 1159.1008-005	APPLICATION NO. 09/834,240 <div style="text-align: right; font-weight: bold; font-size: 1.2em;">RECEIVED</div> <div style="text-align: right;">SEP 17 2001</div> <div style="text-align: right; font-weight: bold;">TECH CENTER 1600/2900</div>				
		APPLICANTS Seshi R. Sompuram et al.					
		FILING DATE April 12, 2001	GROUP 1641				
U.S. PATENT DOCUMENTS							
EXAM- INER INI- TIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	AI2	5,681,943	10/28/97	Letsinger et al.	536	25.33	
	AJ2	6,022,714	2/8/00	Brown et al.	435	91.1	
	AK2	6,030,782	2/29/00	Anderson et al.	435	6	
	AA3	4,585,850	4/29/86	Dominguez	528	122	
	AB3	4,757,014	7/12/88	Hendrickson et al.	435	180	
	AC3	4,098,645	7/4/78	Hartdegen et al.	195	68	
	AD3	4,619,970	10/28/86	Okamoto et al.	525	100	
	AE3	4,861,872	8/29/89	Okamoto et al.	536	18.7	
	AF3	5,811,532	9/22/98	House	536	18.7	
	AG3	4,384,045	5/17/83	Ho et al.	435	176	
	AH3	4,963,356	10/16/90	Calenoff et al.	424	91	
	AI3	4,978,706	12/18/90	Dietlein et al.	524	423	
	AJ3	5,426,204	6/20/95	Harisiades et al.	556	419	
	AK3	5,955,335	9/21/99	Thust et al.	435	176	
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	AT2	Markland, et al., "Iterative Optimization of High-Affinity Protease Inhibitors Using Phage Display Plasmin," <i>Biochemistry</i> , 35:8045-8057 (1996).					
	AU2	Ley, A., et al., "Obtaining a Family of High-Affinity, High-Specificity Protein Inhibitors of Plasmin and Plasma Kallikrein," <i>Mol. Divers.</i> , 2:119-124 (1996).					
	AV2	Ni, H., et al., "Preparation and Characterization of Alkoxysilane Functionalized Isocyanurates," <i>Polymer</i> 41(2000):57-71(1999).					
EXAMINER				DATE CONSIDERED			

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ATTORNEY DOCKET NO.
1159.1008-005APPLICATION NO.
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U.S. PATENT DOCUMENTS

EXAM- INER INI- TIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIA TE
	AA4	5,919,523	7/6/99	Sundberg et al.	427	333	
	AB4	4,046,794	9/6/77	Pepe et al.	260	448.2 N	
	AC4	4,918,209	4/17/90	Baule et al.	556	422	
	AD4	5,622,826	4/22/97	Varma	435	6	
	AE4	5,405,766	4/11/95	Kallury et al	435	174	
	AF4	5,879,951	3/9/99	Sy	436	514	
	AG4	5,541,059	7/30/96	Chu	435	5	
	AH4	4,486,344	12/4/84	Buckler	260	121	
	AI4	6,060,246	5/9/00	Summerton, et al.	435	6	
	AJ4	5,276,187	1/4/94	Ramanathan, et al.	564	254	
	AK4	5,856,571	1/5/99	Berninger, et al.	564	37	
	AA5	5,968,736	10/19/99	Still, et al.	435	6	
	AB5	5,965,456	10/12/99	Malmqvist, et al.	436	514	
	AC5	5,008,080	4/16/91	Brown, III, et al.	422	56	
	AD5	5,132,085	7/21/92	Pelanek	422	55	
	AE5	5,356,785	10/18/94	McMahon, et al.	435	7.92	
	AF5	5,635,364	6/3/97	Clark, et al.	435	7.92	
	AG5	6,015,662	1/18/00	Hackett, Jr., et al.	435	5	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	AW2	Ni, Hai, et al., "Moisture-curing Alkoxysilane-functionalized Isocyanurate Coatings," <i>Macromol. Chem. Phys.</i> , 201: 722-732 (2000).
	AX2	Oakeley, Edward J., et al., "Changing Functionality of Surfaces by Directed Self-Assembly Using Oligonucleotides- The Oligo-Tag," <i>BioTechniques</i> , 27: 752-760 (1999).
	AY2	Mendoza, L.G., et al., "High-Throughput Microarray-Based Enzyme-Linked Immunosorbent Assay (ELISA), " <i>BioTechniques</i> , 27:778-788 (1999).
	AZ2	Maddox, P.H., et al., "3-Aminopropyltriethoxysilane (APES): A New Advance in Section Adhesion," <i>J Clin Pathol</i> , 40: 1256-1260 (1987).

EXAMINER

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